

WILMERHALE

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September 24, 2018

**Via ECF**

The Honorable Joseph F. Bianco  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: *Brady v. Top Ships Inc.*, et al., No. 2:17-cv-04987 (JFB) (SIL)

Dear Judge Bianco:

We represent Defendants Top Ships Inc., Evangelos J. Pistiolis, and Alexandros Tsirikos (the “Top Ships Defendants”) in the above-referenced matter. On behalf of the Top Ships Defendants, Defendants Murchinson Ltd. and Marc Bistricher (the “Murchinson Defendants,” together with the Top Ships Defendants, “Defendants”), we are writing to request that the Court stay the deadline imposed by Federal Rule of Civil Procedure 15(a) for Defendants to Answer or otherwise respond to the Amended Complaint filed by the Top Ships Investor Group on September 18, 2018 (the “Amended Complaint”) (ECF No. 68). Plaintiffs Amardeep Sidhu, Joel Sofer and Moshe Onel (the “Lead Plaintiffs,” together with Defendants, the “Parties”) do not oppose this request.

As the Court is aware, the Parties submitted a stipulation and proposed scheduling order on August 3, 2018 concerning the schedule for Lead Plaintiffs to file an Amended Complaint, for Defendants to answer or otherwise respond to the Amended Complaint, and for the Parties fully to brief any motion to dismiss the Amended Complaint. Lead Plaintiffs filed the Amended Complaint on September 18, 2018 pursuant to the schedule set forth in the parties’ stipulation. On August 3, 2018, lead plaintiff movants Mickey Nardiello and Zhenzhe Wang filed a motion for reconsideration of the Court’s memorandum and order appointing the Top Ships Investor Group as the lead plaintiffs (the “Motion for Reconsideration”) (ECF No. 64). The Motion for Reconsideration is now fully briefed.

Defendants respectfully request that the Court stay the deadline imposed by Federal Rule of Civil Procedure 15(a) for Defendants to Answer or otherwise respond to the Amended Complaint pending a decision on the Motion for Reconsideration. To the extent the Court’s order deciding the Motion for Reconsideration does not also address the schedule for proceeding in this matter, the Parties agree to confer and submit a proposed schedule consistent with Your Honor’s

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individual rule III.A within seven (7) days of the Court's order on the Motion for Reconsideration.

Sincerely,

*/s/ Jeremy T. Adler*

Jeremy T. Adler

cc: Counsel of Record